

PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFU

In re application of; 10/733,008) Attorney Docket No.
Application No: 2004122678) Examiner: Justine Rider
Filed : December 10, 2003) Group Art Unit: 2626
For: DEVICE AND METHOD FOR Date: October 29, 2007
TRANSLATING LANGUAGE

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PETITION TO THE DIRECTOR

OFFICE OF PETITIONS

United States Department of Commerce
United States Patent and Trademark Office
Petition to Director
Mail Stop
PO Box 1450
Alexandria, Virginia 22313-1450

This is a request for the Director to invoke supervisory authority to declare my written response to the Office Action submitted by Art Unit # 2626, dated April 10, 2007, for Application No. 2004122678, as Timely Filed.

The letter of response was filed by myself, a small entity and individual inventor, pursuant to instructions from Art Unit #2626 and subsequent to my telephone conference on October 2, 2007 with the Examiner, Mr. Justin Rider. During this conversation, Mr. Rider investigated the fee amount based on the six months of extension and indicated \$525.00 be included with my letter of response. Mr. Rider further indicated the expiration for the six month extension as October 10, 2007 and the postmark deadline at midnight on the same day.

I mailed the letter of response at approximately 3:30 PM, on October 10, 2007 using Federal Express Priority Overnight. I made a call to Mr. Rider shortly thereafter, to alert him that the letter of response was in the mail for next day delivery and that a check for \$500.00 and a money order for \$25.00 were enclosed. The copy of the Federal Express Airbill (see enclosed) indicates the Tracking Number as #8627 9486 1235 and shows the letter of response package departed Aurora, Colorado at 5:40 PM on October 10, 2007. The letter of response was received and signed by Nguyen at 9:27A.M., on the next day, October 11, 2007.

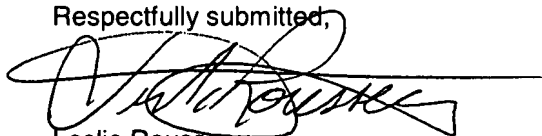
I made another follow-up call to Mr. Rider on October 11, 2007, at which time he stated the letter of response had not been received by him and indicated it might take a week or so before he received it in his office. I called Mr. Rider again on October 13, 2007 to inform him the letter of response package was received and had been signed for by his agency on October 11, 2007. At this time, Mr. Rider mentioned the preferred method of mailing as the US Postal Service.

Within a few days I received a Notice Requiring Extension of Time Fee from Art Unit # 1700 (see enclosed), informing me that my patent application was abandoned. This letter incorrectly states the letter of response was mailed on October 11, 2007 and received the same day on October 11, 2007. This letter also incorrectly indicates a reinstatement fee of \$295.00.

I am enclosing a copy of the Federal Express Airbill and a copy of the Tracking Information with this letter indicating my letter of response was mailed in sufficient time and several hours prior to the postmark deadline.

Under Petition MPEP 1.181, Petition to the Director, I respectfully request the Director to invoke supervisory authority to declare my letter of response as Timely Filed and ask that the abandoned status be withdrawn based on the evidence and circumstances indicated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leslie Rousseau', is written over a horizontal line.

Leslie Rousseau
1100 South Moline Street
Aurora, Colorado 80012
720-275-9640
Widdie8@msn.com



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Package/Envelope

Freight

Expedited

Office/Print Services

Ship

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Track Shipments/FedEx Kinko's Orders
Detailed Results
☐ Printable Version
 ☐ Quick Help

Tracking number 862794861235
Signed for by M.NGUYEN
Ship date Oct 10, 2007
Delivery date Oct 11, 2007 9:27 AM
Status Delivered
Signature image available Yes

Delivered to Service type

Receptionist/Front Desk
 Priority Envelope

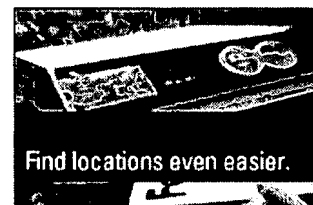
Wrong Address?

Reduce future mistakes by using
[FedEx Address Checker](#).

Tracking a FedEx SmartPost Shipment?

Go to [shipper login](#)

Date/Time	Activity	Location	Details
Oct 11, 2007	9:27 AM Delivered		
	8:31 AM On FedEx vehicle for delivery	ALEXANDRIA, VA	
	7:34 AM At local FedEx facility	ALEXANDRIA, VA	
	6:03 AM At dest sort facility	DULLES, VA	
	2:38 AM Departed FedEx location	MEMPHIS, TN	
	12:53 AM Arrived at FedEx location	MEMPHIS, TN	
Oct 10, 2007	7:43 PM Left origin	DENVER, CO	
	5:04 PM Picked up	DENVER, CO	



Signature proof

E-mail results

Track more shipments/orders

Subscribe to tracking updates (optional)

Your Name:

Your E-mail Address:

E-mail address

Language

Exception updates

Delivery updates

English

English

English

English

Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or non-English characters.

☐ By selecting this check box and the Submit button, I agree to these [Terms and Conditions](#)

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,008	12/10/2003	Leslie Rousseau	Rousseau.830001.US0	8644
7590 04/10/2007				
Leslie Rousseau 1100 South Moline Street Aurora, CO 80012		EXAMINER RIDER, JUSTIN W		
		ART UNIT PAPER NUMBER		
		2626		
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	04/10/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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NOTICE REQUIRING EXTENSION OF TIME FEE
No New Time Period is Provided

Application No.
10/733,008

Applicant(s)
ROUSSEAU, LESLIE

Art Unit
1700

WRONG 10/10/07 →
Applicant's reply to the Office Action mailed on 11 October, 2007 was received in the Office on 10/11/2007, which is after the expiration of the period for reply set in the Office action. The time period for reply continues to run from the mailing date of the Office action. This application will become ABANDONED unless applicant obtains an extension of time by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee as set forth in 37 CFR 1.17(a)(1)-(5) within the maximum extendable time period for reply (e.g., six months for a reply to a non-final rejection).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee due. The expiration of the time period is determined by the amount of the fee paid. In no case may an applicant reply later than the maximum period of SIX (6) MONTHS statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action.

- ☐ 1. The appropriate extension of time fee is missing.
- ☒ 2. The extension of time fee submitted is insufficient.
- ☐ 3. The funds in Deposit Account No. _____ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 4. The Credit Card payment to cover the entire fee due to Account _____ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

You should have sent in a fee for 4 mths and not 3mths you are a day late the response was due in 10/10/2007 a fee of \$295 for 4mths. Please send that fee in or authorization to charge deposit acct.

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THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.17 & 1.21). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Technical Support Staff (TSS): Crystal Queen

Telephone Number: 571-272-1041

Note to TSS: Please do NOT use this notice if the application is under a final rejection.

FedEx US Airbill
Express

FedEx Tracking Number 8627 9486 1235

0200

Sender's Copy

1 From Please print and press hard
Date 10/10/07 Sender's FedEx Account Number 3397-0664-6
Sender's Name LESLIE ROUSSEAU Phone 720-275-9640

Company
Address 1100 S. Moline ST
City Aurora State CO ZIP 80012

2 Your Internal Billing Reference
First 24 characters will appear on invoice. OPTIONAL

3 To Recipient's Name JUSTINE RIDER Phone 571-270-1068
Company US DEPT OF COMMERCE USPTO 2626
Recipient's Address PO BOX 1450
We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address COMMISARIAT FOR PATENT
To request a package be held at a specific FedEx location, print FedEx address here.
City ALEXANDRIA State VA ZIP 22313-1450



4a Express Package Service
☒ FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.
☐ FedEx 2Day
Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx Express Saver
Third business day.* Saturday Delivery NOT available.
* Call for Confirmation. ** To most locations.

4b Express Freight Service
☐ FedEx 1Day Freight
Next business day.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx 2Day Freight
Second business day.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
* Call for Confirmation. ** To most locations.

5 Packaging
☒ FedEx Envelope*
☐ FedEx Pak*
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.
☐ FedEx Box
☐ FedEx Tube
☐ Other
* Declared value limit \$500.

6 Special Handling
☐ SATURDAY Delivery
NOT Available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 2Day Freight.
☐ HOLD Weekday at FedEx Location
NOT Available for FedEx First Overnight.
☐ HOLD Saturday at FedEx Location
Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
Does this shipment contain dangerous goods?
☒ No
One box must be checked.
☐ Yes
No per attached Shipper's Declaration.
☐ Yes
Shipper's Declaration not required.
☐ Dry Ice
Dry Ice, 6 UN 1845
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.
☐ Cargo Aircraft Only

7 Payment \$100 fee
Enter FedEx Acct. No. or Credit Card No. below.
☐ Sender
Acct. No. in Section 1 will be billed.
☐ Recipient
☐ Third Party
☐ Credit Card
☐ Cash/Check

FedEx Acct. No. Credit Card No. Total Packages Total Weight Total Declared Value* \$.00

*Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

8 Residential Delivery Signature Options
If you require a signature, check Direct or Indirect.
☐ No Signature Required
Package may be left without obtaining a signature for delivery.
☐ Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.
☐ Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies.

520

Rev. Date 10/09/Part #190231-01/09-2008 FedEx-PRINTED IN U.S.A. CITY

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